

Message Text

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C O N F I D E N T I A L GENEVA 3379

E.O. 11652: GDS

TAGS: TSPA, UN

SUBJECT: OUTER SPACE LEGAL SUBCOMMITTEE

1. SUMMARY. OUTER SPACE LEGAL SUBCOMMITTEE BEGAN ITS 15TH SESSION ON 3 MAY IN UNEVENTFUL MANNER. THE SUBCOMMITTEE AGREED TO THE CHAIRMAN'S PROPOSAL TO TAKE UP THE MOON TREATY, DIRECT BROADCAST SATELLITES AND REMOTE SENSING, IN THAT ORDER, WITH APPROXIMATELY ONE WEEK FOR EACH.

2. DETAILS. US DEL MET WITH AMB. WYZNER, OUTER SPACE LEGAL SUBCOMMITTEE CHAIRMAN, AT HIS REQUEST AM 3 MAY. WYZNER OUTLINED SUGGESTIONS HE INTENDED TO MAKE TO THE SUBCOMMITTEE CONCERNING ITS ORGANIZATION AND SCHEDULE FOR THE CURRENT FOUR-WEEK SESSION. THESE WERE LARGELY UNCONTROVERSIAL EXCEPT WE OBJECTED TO HIS PROPOSAL TO APPOINT INDIAN AMB. MISHRA AS CHAIRMAN OF THE DIRECT BROADCAST SATELLITE (DBS) WORKING GROUP WHEN WYZNER SAID MISHRA'S OTHER DUTIES WOULD ALLOW HIM ONLY TO DEVOTE ONLY PART TIME TO THE WORKING GROUP. WE RECALLED MISHRA'S DEPUTY, MRS. LAKSMANAN, HAD PROVEN SOMEWHAT MALADROIT IN A SIMILAR ARRANGEMENT IN 1974, AND THE WORKING GROUP SHOULD NOT BE A PRIVATE INDIAN PRESERVE FOR A REVIEWAL OF THAT ARRANGEMENT. WYZNER ALSO NOTED THAT ABDUL GAHNI OF EGYPT WILL NOT BE HERE AND THIS HAS OPENED THE REMOTE SENSING WORKING GROUP CHAIRMANSHIP. WYZNER AND WE INCONCLUSIVELY DISCUSSED THE
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POSSIBILITY OF AUSTRIA; ERIC NETTLE, THE EXTREMELY ABLE AUSTRIAN LEGAL ADVISER, WILL BE HERE DURING THE WEEK REMOTE SENSING

WILL BE DISCUSSED.

3. THE SUBCOMMITTEE MET PM 3 MAY AND WAS EXTREMELY WELL ATTENDED, ONLY ALBANIA, KENYA, LEBANON, VENEZUELA, SUDAN OF THE 37 MEMBERS BEING ABSENT. WYZNER, IN HIS INTRODUCTORY STATEMENT, NOTED APOLLO-SOYUZ AND OBSERVED THAT UN PEACEKEEPING OPERATIONS FOR THE FIRST TIME UTILIZED COMMUNICATIONS SATELLITES WHEN, ON 19 FEBRUARY, GEN. SILASVUO USED AN EARTH STATION IN JERUSALEM LINKED WITH SYMPHONIE TO COMMUNICATE WITH WALDHEIM IN NEW YORK. WYZNER PROPOSED, AND OBTAINED ACQUIESCENCE FOR, THE FOLLOWING ARRANGEMENTS, WHICH FOLLOW CLOSELY THE PATTERN OF FORMER YEARS: (A) THE SUBCOMMITTEE WILL DEVOTE THE FIRST WEEK TO THE TREATY ON THE MOON (TOM), THE 2ND WEEK TO DBS, AND THE 3D TO REMOTE SENSING (RS). THE 4TH WEEK WILL BE LEFT OPEN BUT WITH OPPORTUNITY TO DISCUSS THE DELIMITATION/ DEFINITION ITEM AND THE SUBCOMMITTEE REPORT. THIS SCHEDULE WILL BE SUBJECT TO READJUSTMENT BY COMMON AGREEMENT. (B) DURING THE FIRST WEEK GENERAL DEBATE STATEMENTS WILL BE IN ORDER. (C) THE PLENARY WILL MEET EVERY MORNING THROUGHOUT THE SESSION TO HEAR ANY GENERAL DEBATE STATEMENTS OR ANY STATEMENTS FOR THE RECORD ON DBS, RS, AND DELIMITATION. (COMMENT: AS IS DESIRABLE, THERE WILL BE NO DELIMITATION WORKING GROUP.) (D) THE THREE WORKING GROUPS, TOM, DBS AND RS, WILL BE REESTABLISHED. PROF. HARASTZY WILL AGAIN SERVE AS TOM WORKING GROUP CHAIRMAN; THE OTHER TWO CHAIRMANSHIPS WILL BE DETERMINED LATER.

4. AS REQUIRED BY GA RES 3415(XXX) ON RECORDS OF UN BODIES, WYZNER DREW ATTENTION TO THE POSSIBILITY OF THE SUBCOMMITTEE'S DISPENSING WITH SUMMARY RECORDS. NOTING THAT THE SUBCOMMITTEE MAINTAINS SUMMARY RECORDS FOR ITS BRIEF PLENARY SESSIONS ONLY (ITS WORK BEING DONE LARGELY IN THE WORKING GROUPS) AND THAT IT IS A TREATY-MAKING BODY, WYZNER OBTAINED AGREEMENT TO MAINTAINING SUMMARY RECORDS FOR PLENARY SESSIONS.

5. AMB. PIRADOV MADE THE USSR GENERAL DEBATE STATEMENT WHICH LENGTHILY REFERRED TO INTERNATIONAL COOPERATION, THE STRUGGLE FOR PEACE, DETENTE, CPSU SESSIONS AND BREZHNEV. SOYUZ-APOLLO, AS A USE OF OUTER SPACE FOR PEACEFUL PURPOSES, IS A MAJOR
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CONTRIBUTION TO DETENTE, HE OBSERVED. ON THE TOM, PIRADOV'S COMMENTS SUGGESTED SOVIET READINESS TO INCORPORATE MOST OF THE REVISIONS SUGGESTED BY THE US TO THE SOVIET NOVEMBER '75 PROPOSALS. (COMMENT: WE WILL BE ABLE BETTER TO JUDGE SOVIET ACCOMMODATION ON THIS SCORE WHEN WE MEET WITH THEM BILATERALLY BEFORE THE TUESDAY AM SUBCOMMITTEE MEETING. THEY HAVE APPARENTLY GIVEN
A NEW TOM WORKING PAPER TO THE SECRETARIAT WHICH SHOULD BE READY IN ENGLISH SHORTLY. SOVIET ADVISER MAJORSKY SAID MFA HAD NOT RECEIVED US REVISIONS (THIS MATTER SEPTTEL).

6. ON DBS, PIRADOV STRESSED PRIOR AGREEMENT PRINCIPLES. NOTING THAT OTHERS (INFERENTIALLY THE US BY WAY OF AMB. BENNETT'S GA STATEMENT LAST FALL) HAD DISCUSSED PRINCIPLES OF CONSULTATION, PRIADOV ASSERTED THAT CONSULTATIONS NOT ENDING IN COMMON AGREEMENT COULD SERVE NO USEFUL PURPOSE AND WOULD MERELY VIOLATE THE SOVEREIGN RIGHTS OF RECIPIENT STATES. CONCERNING RS, PRIADOV DREW ON THE DISTINCTION ADVANCED BY THE USSR AT SPRING SCIENTIFIC SUBCOMMITTEE SESSION BETWEEN SMALL SCALE GLOBAL DATA OF USE PRINCIPALLY FOR METEOROLOGICAL PURPOSES, ON THE ONE HAND, AND LARGE SCALE LOCAL DATA WHICH CONCERNS THE SOVEREIGN RIGHTS OF STATES OVER THEIR NATURAL RESOURCES, VITAL TO NATIONAL ECONOMIC NEEDS AND OTHER INTERESTS. HE SUGGESTED THE DEFINITION OF THE TWO CATEGORIES BE LEFT TO THE SCIENTIFIC SUBCOMMITTEE WHILE THE LEGAL SUBCOMMITTEE SHOULD WORK OUT THE DIFFERING DISSEMINATION CONSEQUENCES FLOWING FROM THE CATEGORIES. THE GDR ALSO SPOKE.

7. AFTER THE MEETING AMB. MISHRA TOLD US HE AGREED TO GIVE FULL TIME TO THE DBS WORKING GROUP IF ELECTED AND THAT THERE WAS NO (OTHER) OBJECTION TO HIS ELECTION. WE THEN AGREED. SEPARATELY, WYZNER SAID THE SOVIETS HAD REACTED NEGATIVELY TO THE SUGGESTION THAT AUSTRIA TAKE THE RS WORKING GROUP CHAIRMANSHIP; THEY SAID IT SHOULD GO TO AN LDC. COMMENT: WE WILL DISCUSS THIS WITH THE SOVIETS IN A BILATERAL TUESDAY; THEIR OBJECTION IS UNSOUND IN VIEW OF HUNGARY AS TOM CHAIRMAN AND INDIA AS DBS CHAIRMAN. ABRAMS

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